

Ordinance # 928(19)

AN ORDINANCE OF THE CITY OF MOORE, OKLAHOMA AMENDING PART 13, PUBLIC SAFETY, CHAPTER 5, EMERGENCY TELEPHONE AND ALARM SYSTEMS, SECTIONS 13-503 REGISTRATION, 13-505 CRIMINAL LIABILITY FALSE ALARMS, 13-506 NOTICE OF FALSE ALARMS, 13-507 INSTRUCTION AS TO THE OPERATION OF SYSTEMS, 13-508 EMERGENCY NOTIFICATIONS, MAINTENANCE OF RECORDS, DESIGNATED PERSONNEL, 13-510 MINIMAL SYSTEM REQUIREMENTS, 13-512 NOTIFICATION OF TESTS, 13-513 AUTOMATIC DIALING DEVICES AND PRE-RECORDED OR PROGRAMMED MESSAGE ALARM SYSTEM REQUIREMENTS, 13-514 NOTICE OF DISRUPTION OF SERVICE, 13-515 POLICE OR FIRE INSPECTION OF ALARM SYSTEMS, 13-516 PROMPT RESPONSE OF AGENTS OR EMPLOYEES, 13-517 ALARM MONITORING BY POLICE DEPARTMENT, COST, ENROLLMENT FEES. PROVIDING FOR REPEALER, PROVIDING FOR SEVERABILITY.

NOW THEREFORE, BE IT ORDAINED BY THE City Council of the City of Moore, Oklahoma:

Part 13, Chapter 5 shall be amended as follows, to-wit:

Sec. 13-501. - Purposes.

While recognizing the value of effective alarm systems in deterring crime and preventing fire losses and while encouraging the use of such alarm systems, it is the purpose of this chapter to enhance and protect the emergency services, to require minimum standards for alarm systems and services therefor, and to license users thereof, to improve system effectiveness and to reduce, insofar as possible, the misuse of emergency public services.

Sec. 13-502. - Definitions.

(a) The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

911 system means an emergency phone system which is designed to receive emergency phone calls by dialing the three-digit number "911." The system places person requesting emergency service in touch with fire, police, and ambulance services by dialing the three-digit number "911."

Alarm business means any person or firm engaged in the business of installing, assisting in the installation, servicing, maintaining, repairing, replacing, moving, or removing alarm systems in the city and duly licensed by the state.

Alarm system means any mechanism, equipment or device which is designed to detect the presence of a fire, or an unauthorized entry or activity in any building or on any property, or to direct attention to a fire, robbery, burglary, or other emergency in progress, and to signal the above occurrences either by a local or audible alarm or by a silent or remote alarm, directly or indirectly to the police or fire department. The following devices shall not constitute alarm systems within the meaning of this chapter:

- (1) Devices which do not activate alarms that are audible, visible, or perceptible outside the protected premises;

- (2) Devices which are not installed, operated or used for the purpose of reporting an emergency, either directly or by third party to the police or fire department;
- (3) Alarm devices affixed to motor vehicles;
- (4) Alarm devices installed on a temporary basis by the police or fire department;
and
- (5) Alarm devices installed in or on premises owned or leased by the city.

Answering service means a telephone answering service providing, among its services, the receiving, on a continuous basis through trained employees, of emergency signals from alarm systems and the subsequent relaying of messages to the police or fire department on a person-to-person basis.

Automatic dialing device means an alarm system which automatically sends over regular telephone lines, by direction connection or otherwise, any type of communication or message indicating the existence of an emergency situation that the alarm system is designed to detect.

Central station means an office to which alarm systems are connected, where operators supervise the circuits, and where guards or servicemen are maintained continuously to investigate signals. For purposes of fire alarms, information relay systems shall be in compliance with the National Fire Prevention Association (hereinafter "NFPA") standards as set forth in NFPA 71, Central Station Signaling Systems, NFPA 72A, Local Protective Signaling Systems, NFPA 72B, Auxiliary Protective Signaling Systems, or NFPA 72C, Remote Station Protective Signaling Systems.

Direct line means a telephone line leading directly from a central station to the police or fire department, where such line is used only to report emergency signals on a person-to-person basis.

Emergency means the existence of a fire, or the commission or attempted commission of a robbery, burglary or other criminal action.

Employee means any person who is employed by an alarm business and who installs, services, maintains, repairs or replaces alarm systems in the city.

Interconnect means to connect a burglar alarm system or other alarm system, including an automatic dialing device, to a telephone line, either directly or indirectly, or through a mechanical device that utilizes a telephone, for the purpose of using the telephone line to transmit a message upon the activation of the alarm system.

Modified central station means an office to which alarm systems are connected, where operators supervise the circuits but where guards are not maintained to investigate alarm signals.

Telephone dialing device means a device which is interconnected to a telephone line and is programmed to select a predetermined telephone number and transmit by voice message or code signal an emergency indicating a need for police, fire or medical responses.

Trunk line means a telephone line leading into the police or fire department and having the primary purpose of handling emergency signals or messages on a person-to-person basis origination through a central station, modified central station, or answering service.

Sec. 13-503. - False alarms.

The term "false alarm" means the activation of an alarm system through mechanical failure, malfunction, the negligence of the alarm business operator or his employees or agents, or the negligence of the owner, user or lessee of an alarm system or his employees or agents, or which otherwise elicits a response by a law enforcement agency or the fire department when a situation requiring such response does not in fact exist. The term "false alarm" shall also mean the activation of an alarm, the purpose of which is to communicate or indicate a specific emergency situation when in fact that specific emergency situation does not exist. The term "false alarm" does not include, for example, alarms activated by utility line mishaps, tornados, earthquakes, or other violent conditions of nature, or other conditions clearly beyond the control of the alarm manufacturer, installer, owner or user.

(1) False alarms include those caused by:

- a. Error or mistakes. Any action by any person, firm or corporation, or other entity or agent thereof, owning or operating any dwelling, building or place, which results in the activation of any alarm system when no emergency exists;
- b. Malfunction. Any activation of any alarm system caused by a flaw in the normal operation, design, installation, or maintenance of the system, by faulty equipment or by a change in the environment or premises upon or within which the alarm system is operating;
- c. Intentional misuse. Any intentional activation of an alarm system when no burglary, robbery, vandalism, fire or other emergency is in progress.

(2) An alarm will not be considered a false alarm if it is determined that the alarm was caused by:

- a. Natural or manmade catastrophe, or an act of God. Such events include tornadoes, floods, earthquakes or other similarly violent conditions;
- b. Vandalism, causing physical damage to the premises;
- c. Telephone line outage;
- d. Attempted entry of a location causing visible, physical or other evidence of damage to the location;
- e. Severe weather causing physical damage to the premises; or
- f. The testing of a local/audible alarm system by a licensed alarm business agent or employee who is present at the premises servicing, repairing or installing the alarm when such testing does not result in the alarm being activated for an uninterrupted period exceeding 60 seconds.

Sec. 13-504. - Notice of false alarms.

- (a) If an excessive number of false alarms occur at any alarm location, the police or fire departments shall give written notice to the property owner and to the alarm business responsible for maintaining and servicing the system to take corrective action within seven days to prevent future false

alarms. If future false alarms persist, the owner/occupant may be issued a citation for each occurrence pursuant to Section 13-509 and Section 1-108.

(b) An excessive number of false alarms shall be deemed to be:

(1) For businesses with less than 25 employees in any single location: more than three false alarms within any three-month period;

(2) For businesses with 25 or more employees in any single location: more than six false alarms within any three-month period; or

(3) For residences: more than three false alarms within any three-month period.

(c) The provisions of this chapter shall be administered and enforced by the chief of police and the fire chief. The fire chief or his designee is authorized to make inspections of fire and other emergency alarm systems and of the premises wherein the device or system is located, or as otherwise provided herein.

(d) Any inspection of an alarm location or premises shall be the same as provided in the Code.

Sec. 13-505. - Emergency call records.

Alarm businesses who request police or fire department response to alarm signals shall maintain a record of all such emergency calls stating the time, date, location of the alarm and the department called. The records shall indicate the cause of the alarm and if the alarm is not caused by fire, burglary, robbery, or other emergency, the records shall state corrective action taken to prevent the recurrence of the alarm. This record shall be current and shall be made available for inspection by the chief of police and fire chief, or their designated representatives, at any time during normal business hours.

Sec. 13-506. - Operational defects to be remedied.

The sensory mechanisms used in connection with any emergency alarm system shall be adjusted to suppress false alarms due to changes in water pipes, short flashes of light, wind noises, such as the rattling or vibrating of doors or windows, vehicular noise adjacent to the installation, or other forces unrelated to genuine alarms.

Sec. 13-507. - Notification of tests.

Alarm businesses shall notify the police dispatcher at police communications and shall notify the fire marshal or the fire department dispatcher prior to any service, test, repair, maintenance, adjustment, alteration or installation of any alarm system which would directly or indirectly result in an emergency services response. Any alarm received after such notification while the system is out of service shall not constitute a false alarm. Alarm businesses shall notify the police and fire departments when the system is back in service.

Sec. 13-508. - Fire inspection of alarm systems.

Once a police or fire response has been made to a false alarm at a location, the fire chief or his designee, may inspect or have inspected the alarm system, including any monitoring service relating

thereto, to determine if the system is being operated in accordance with state and city regulations and guidelines.

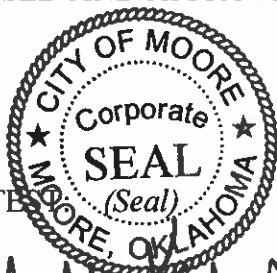
Sec. 13-509. - Penalty.

Unless otherwise provided herein, any person found guilty of violating any of the provisions of this chapter shall be guilty of an offense and, upon conviction thereof, shall be punished as provided in section 1-108. Every day that a violation exists shall constitute a separate violation and shall be subject to the full penalty contained herein.

Severability. If any of the provisions of this ordinance are determined to be unconstitutional or unlawful by any court of competent jurisdiction, the remainder shall be severable and unaffected.

Repealer. Any ordinance or parts thereof in conflict with this section are hereby repealed.

PASSED AND APPROVED THIS 2 DAY OF DECEMBER, 2019.



ATTEST:

Vanessa Kemp
VANESSA KEMP, City Clerk

Danielle McKenzie, Vice Mayor
~~GLENN LEWIS, Mayor~~
Danielle McKenzie, Vice Mayor

APPROVED AS TO FORM AND LEGALITY:

Randy C. Brink

RANDY C. BRINK, City Attorney